

**Before the New Hampshire
Physical Therapy Governing Board
Concord, New Hampshire 03301**

In The Matter Of:

Cornelius Donnelly, PT
(Disciplinary Proceeding)

SETTLEMENT AGREEMENT

In order to avoid the delay and expense of further proceedings, and to promote the best interest of the public in the practice of physical therapy, the Physical Therapy Board ("the Board") and Cornelius Donnelly ("the Respondent" or "Mr. Donnelly"), agree to resolve certain allegations of professional misconduct pending before the Board in accordance with the following terms and conditions:

1. The parties stipulate that the Board has cause to institute a disciplinary proceeding against the Respondent pursuant to RSA 328-F:23, I and RSA 328-F:25, I, and that if such a proceeding were commenced, the allegation against the Respondent would be:
 - A. That from September 30, 1997, through November 12, 1997, the Respondent supervised Brian Ladd, a practitioner on a temporary license, although the Respondent's license to practice physical therapy was suspended during that time period.
 - B. That the above described actions constitute unprofessional conduct within the meaning of RSA 328-F:23, IV,(d).
2. RSA 328-F:25, III authorizes the Board to settle allegations of professional misconduct without commencing or completing a disciplinary hearing.

3. The Respondent admits and acknowledges the allegations described in Paragraph 1. A, and that his license to practice physical therapy in the State of New Hampshire is currently suspended.

4. The Respondent consents to the following action by the Board:

a. The Respondent shall not reapply for licensure to practice physical therapy in the State of New Hampshire until on or after June 21, 1999.

b. All other conditions of the Respondent's September 12, 1997 Settlement Agreement remain in full force and must be complied with prior to a renewal of his license.

5. The Respondent's breach of any of the conditions of this Agreement or of the conditions of the Settlement Agreement accepted by the Board on September 30, 1997, shall be a separate basis for disciplinary action by the Board and a sufficient ground for the Board to issue an Order of Summary Suspension pursuant to RSA 329:18-B, pending completion of further disciplinary proceedings.

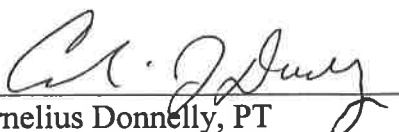
6. Except as provided in Paragraph 3, above, the Agreement shall bar the commencement of disciplinary action by the Board based upon the misconduct allegations described in Paragraph 1.A provided, however, that the Board may take appropriate action to enforce the terms of this Agreement; may consider the misconduct in Paragraph 1. A above for the purpose of establishing a pattern of conduct in the event that similar allegations are brought against the Respondent in the future; and may consider the fact that conditions were imposed by this Agreement in determining appropriate discipline should any other misconduct allegations be proven against the Respondent in the future.

7. This Agreement shall take effect on the date it is signed by a representative of the Board designated below.

8. The Respondent voluntarily signs this Settlement Agreement and states that no promises or representations have been made to him other than those terms and conditions expressly stated herein.

FOR THE RESPONDENT

Date: 4/12/99




Cornelius Donnelly, PT
Respondent

This proceeding is hereby terminated in accordance with the binding terms and conditions set forth above.

BY ORDER OF THE BOARD*/

Dated: 4.22.99



Authorized Representative of the
Physical Therapy Governing Board

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